

**STATEMENT
OF
SENATOR DANIEL K. INOUE
CHAIRMAN
COMMITTEE ON INDIAN AFFAIRS
BEFORE THE
APRIL 24, 2002 HEARING
ON
S. 2018, THE T'UF SHUR BIEN
PRESERVATION TRUST AREA ACT**

Thank you, Mr. Chairman. I am pleased that our Committees can meet jointly today to receive testimony on this important legislation and the terms of the settlement agreement that the bill reflects.

As you know, this is not the first erroneous boundary survey or the first inaccurate interpretation of the words used in a statement of boundaries that has come before the Congress.

We have had need to address similar circumstances in several other States, and so we are accustomed to the issues that are before the Committees today.

In reading the testimony of the witnesses last evening, I was particularly impressed with the thoughtful statements of the Pueblo of Sandia.

It is clear to me that not only has this area always had special cultural and spiritual significance to the current members of the Pueblo and many generations of their ancestors, but that the Pueblo is committed to preserving the values of the wilderness designation that was brought about under the stewardship of the senior senator from New Mexico, my good friend, Pete Domenici.

If one knows a little bit about the Pueblo, one might have an even better understanding of the commitment the Pueblo has to maintaining the status quo in this area.

For those of you who may not know, the Pueblo of Sandia is one of the nation's leaders in environmental protection and management.

In 1997, the Pueblo was the first tribal recipient of the U.S. Environmental

Protection Agency's partnership for environmental excellence award for the Pueblo's "outstanding success in developing an environmental management program to protect and manage tribal resources."

Two years later, the John F. Kennedy school of government at Harvard University recognized the Pueblo of Sandia with a \$10,000 high honor award for excellence in tribal self-governance in the field of environmental protection.

Of the 556 federally-recognized Tribes in the United States, the Pueblo of Sandia was one of only eight tribal governments in the nation to receive this prestigious honor.

It is clearly further testament to the Pueblo's concern for the environment that they maintain an environmental department whose number of personnel is equal to four percent of the total tribal citizenry.

As we receive testimony on s. 2018 today, I believe it is important that we keep in mind the context in which we are considering the terms of the settlement agreement.

The Federal Court has ruled that an earlier Interior Department solicitor's opinion could not stand because it did not accurately take into account the circumstances surrounding the Pueblo's land grant.

Should the Congress fail to act before the terms of the settlement agreement expire in November and should this matter then proceed to be the subject of further litigation, in all likelihood, the claims of the Pueblo of Sandia will prevail.

The fact that the Pueblo has come to the table with other interested parties, and

has agreed to preserve the status quo on lands to which they could otherwise assert exclusive use – demonstrates not only a measure of utmost good faith but a desire on the part of the Pueblo to assure that good relations amongst neighbors will be the hallmark for the path to be followed by future generations.

I commend the parties for all that they have done to bring us to this point, and I hope that we can bring this matter to a swift resolution and avoid the specter of further time-intensive and costly litigation.

Thank you Mr. Chairman.